HONOURABLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No.14586 OF 2008

ORDER:

The petitioner claims to be the owner of about 1117 square yards in premises bearing No.17-3-433/48, Ganga Nagar Nala, Yakuthpura, Hyderabad. His grievance is that the respondents are insisting on leaving the land to an extent of 300 square yards for widening of the road, without initiating proceedings in accordance with law.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. In his affidavit, filed in support of the writ petition, the petitioner has addressed in brief, the manner in which the property is said to have been acquired. Even assuming that the respondents need any part of the property owned by the petitioner for widening of the road, they have to acquire it under Section 146 and 147 of the Hyderabad Municipal Corporation Act, 1955. On the other hand, if the petitioner is found to be in possession of the land owned by the Corporation, they have to issue notice for removal of encroachment.

4. Hence, the Writ Petition is disposed of directing the respondents not to interfere with the possession and enjoyment of the property in premises bearing No. 17-3-433/48, Ganga Nagar Nala, Yakuthpura, Hyderabad, except by initiating proceedings in accordance with law. There shall be no order as to costs.

L.NARASIMHA REDDY, J

March 03, 2011.

KTL